

that are in a history that never was but, rather, to approach it on the basis of moving forward, in a bipartisan way, to fill our constitutional responsibilities to grant these judges an up-or-down vote by our advice and consent so we can put people on the court in these very important positions to serve the American people.

Mr. CHAMBLISS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak in morning business for not to exceed 14 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

MARLA RUZICKA

Mr. LEAHY. Mr. President, this is a matter which I and my friend from California, Senator BOXER, will be speaking about later this afternoon, and that is the tragic death of a remarkable young Californian, Marla Ruzicka.

Marla was the founder of a humanitarian organization devoted to helping the families of Afghan and Iraqi civilians who have been killed or suffered other losses as a result of U.S. military operations. She died in Baghdad on Saturday from a car bomb while she was doing the work she loved and for which so many people around the world admired her.

In fact, Tim Rieser, in my office, has worked closely with her. We received e-mails about the work she was doing, and even photographs of people she was helping arrived literally minutes before she died.

I will speak later today about this. But she was a remarkable person. When I spoke with her family in California yesterday, I told them this was a life well worth living, that most people would not accomplish in their lifetime what this 28-year-old wonderful woman accomplished in hers.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, I am going to speak on another matter. We have learned that those who are intent on forcing confrontation, breaking the Senate rules, and undercutting our democratic checks and balances plan to take their previous outrageous allegations of religious McCarthyism one step further and accuse Democrats of being "against people of faith" because we object to seven—seven—of the President's more than 200 judicial nominations.

If you followed the sick logic of this venom being spewed by some of the

leaders in this Chamber, we would have to say that 205 judicial nominees forwarded by the President, whom the Democratic Senators have helped to confirm, would seem not to be people of faith, even though that is as false and ridiculous on its face as is the charge leveled at Democratic Senators.

This disgusting spectacle, this smear of good men and women as "against faith" is expected to happen, in of all places, a house of worship, according to a front-page article last week in the New York Times. It will involve twisting history, as well as religion, because according to the report, those involved will claim that Democratic Senators are using the filibuster rule to keep people of faith off of the Federal bench.

This slander is so laden with falsehoods, so permeated by the smoke and mirrors of partisan politics, and so intertwined with one man's personal political aspirations that it should collapse of its own weight. But too many who should speak out against it remain violent.

Republicans on the Senate Judiciary Committee began blatantly to invoke obscene accusations like this one earlier in the Bush administration. They hurled false charges against Senators saying they were anti-Hispanic or anti-African American, anti-woman, anti-religion, anti-Catholic, and anti-Christian for opposing certain judicial nominees.

They never bothered to mention the same Senators who were making these slanderous statements had blocked, themselves, many, many, many—over 60—Hispanics, women, certainly people of faith. And they never bothered to say the Senators they were slandering had supported hundreds of nominees, including Hispanics, African Americans, women, and people of faith—Catholic, Christian, and Jewish. They never hesitated to stoke the flames of bigotry, and to encourage their supporters to continue the smear in cyberspace or on the pages of newspapers or through direct mail.

Actually, to the contrary, they seemed to like the way it sounded. Maybe it tested well in their political polls. Now they have decided to up the ante on such "religious McCarthyism," as a way to help them tear down the Senate and do away with the last bastion against this President's most extreme judicial nominees. It is crass demagoguery, and it is fueled by the arrogance of power.

They now seek to make a connection between the dark days of the struggle for civil rights, when some used the filibuster to try to defeat equal rights laws, and the situation we find ourselves in today when the voice of the minority struggles to be heard above the cacophony of daily lies and misrepresentations. This tactical shift follows on the rhetorical attacks aimed at the judiciary over the past few weeks in which Federal judges were likened to the KKK and "the focus of evil."

In the last few weeks, we have heard that, at an event attended by Repub-

lican Members of the Congress, people called for Stalinist solutions to problems, referring to Joseph Stalin's reference to killing people he disagreed with, and calling for mass impeachments. Wouldn't you think the Members of Congress, who have taken an oath to uphold the Constitution, would speak up or at least leave with their heads bowed in shame, instead of, apparently, enjoying it?

Last week, the Senate Democratic leadership called upon the President and the Republican leadership of Congress to denounce these inflammatory statements against judges. This week, I renew my call to the Republican leader and, in particular, to Republican moderates, to denounce the religious McCarthyism that is again pervading their side of this debate.

I ask my friends on the other side of the aisle to follow the brave example of one of Vermont's greatest Senators, Republican Ralph Flanders. Senator Flanders recognized a ruthless political opportunist when he saw one. He knew Senator Joseph McCarthy had exploited his position of power in the Senate to smear hundreds of innocent people and win headlines and followers, and campaign contributions, with his false charges and innuendo, without regard to facts or rules or human decency.

Senator Flanders spoke out during this dark chapter in the history of this great institution. He offered a resolution of censure condemning the conduct of Senator McCarthy. Now, in our time, a line has again been crossed by some seeking to influence this body. I ask my friends on the other side of the aisle to follow Senator Flanders' lead in condemning the crossing of that line.

I have served with many fair-minded Republican Senators. I am saddened to see Republican Senators stay silent when they are invited to disavow these abuses. Where are the voices of reason? Will the Republicans not heed the clarion call that Republican Senator John Danforth sounded a few weeks ago? And he is an ordained Episcopal priest. What has silenced these Senators who otherwise have taken moderate and independent stands in the past? Why are they allowing this religious McCarthyism to take place unchallenged? The demagoguery that is so cynically and corrosively being used by supporters of the President's most extreme judicial nominees needs to stop.

Not only must this bogus religious test end, but Senators should denounce the launching of the nuclear option, the Republicans' precedent-shattering proposal to destroy the Senate in one stroke, while shifting the checks and balances of the Senate to the White House.

I would like to keep the Senate safe and secure and in a "nuclear free" zone. Even our current Parliamentary office and our Congressional Research Service has said the so-called nuclear option would go against Senate